

REMARKS

Claim 16 has been re-written in independent form to incorporate the limitations of claim 12 from which it depended. Similarly, claim 23 has been rewritten in independent form.

Claims 26-35 have been added.

Claims 13, 15-17 and 23-31 are pending.

The pending claims were rejected as anticipated by U.S. Patent No. 5,809,011 (Almay). As discussed below, applicant respectfully disagrees.

The pending claims relate to rolling over a narrowband communication line from a channel in a first virtual circuit in a packet network to a channel in a second virtual circuit in the packet network. Independent claims 16, 23 and 32 recite that the rolling over includes broadcasting traffic over the channels in both virtual circuit connections. An example is illustrated in FIGS. 3A through 3D and, in particular, in FIGS. 3B and 3C in which the traffic is broadcast over channels in both virtual circuit connections B and C.

The Almay patent relates to techniques for rerouting a connection-oriented packet-mode data connection such as an ATM network data connection. The techniques are applicable, for example, to a network transmitting using semi-permanent virtual circuits (col. 2, lines 27-28). In particular, the patent discloses rerouting traffic transmitted over a first link (having a first virtual path/virtual channel identifier) to another link (having another virtual path/virtual channel identifier). (See col. 4, lines 60-67)

Contrary to the Office action, however, broadcasting traffic over the channels in both virtual circuit connections is not disclosed or suggested by the Almay patent. That is clear, for example, from the columns in FIG. 2 of the patent labeled "A/Transmission" and "B/Transmission." That figure, and the corresponding description in column 3, makes it clear that neither node A nor node B has *both* transmission routes (*i.e.*, A-B and a-b) activated at the same time. Instead, only one of the transmission routes in a particular direction is activated at any given time. In particular, with respect to node A, when the transmission route a-b is activated, the transmission route A-B is not; when the transmission route A-B is activated, the

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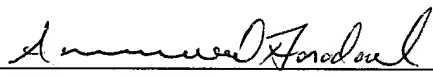
transmission route a-b is not. Similarly, with respect to node B, when the transmission route b-a is activated, the transmission route B-A is not; when the transmission route B-A is activated, the transmission route b-a is not. Therefore, neither node A nor node B broadcasts traffic over channels in both routes at any given time.

In view of the foregoing remarks, applicant submits that the subject matter of independent claims 16 and 23 is neither disclosed or suggested by the Almay patent. The dependent claims should be allowable at least for the same reasons.

Enclosed is check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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